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FO 2131354

761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: June 28, 2005

OFFICE CORRESPONDENCE FILE:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: STEVEN M. ROLLER, CAPTAIN
CENTURY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE, OCTOBER 18, 2004, REVIEW #2131354**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on October 18, 2004.

The Committee met on June 23, 2005, and consisted of myself and Commanders Kenneth Brazile (Commander of the Department), Robert Binkley (FOR III), and Eric Smith (Leadership & Training Division). The Committee determined that the use of force by Deputies John Perez #[redacted], [redacted] #[redacted], [redacted] #[redacted] was within Department policy.

Please advise the deputies of this finding.

JGJ:KRK:kk

761551N25A - SH - AD - 32A (11/02)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: August 4, 2005

FILE NO.: #2131354

FROM: JOHNNY G. JURADO, COMMANDER
ERIC B. SMITH, COMMANDER
KENNETH J. BRAZILE, COMMANDER
ROBERT L. BINKLEY, COMMANDER

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:

DEPUTY JOHN PEREZ #[redacted] CENTURY STATION

DEPUTY [redacted] #[redacted] CENTURY STATION

DEPUTY [redacted] #[redacted] CENTURY STATION

On October 18, 2004, during the course of a traffic stop for a possible DUI investigation, Deputies Perez, [redacted] and [redacted] were involved in a physical altercation with two suspects. During the altercation, Deputy Perez struck one suspect with his fist in the face resulting in a fracture to the suspect's right orbital bone breaking, and Deputy [redacted] struck the suspect with his baton on the legs. Deputy [redacted] held the suspect down on the ground and assisted in handcuffing. For further details refer to attached report.

On June 23, 2005, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MMP §§ 3-01/025.00, Use of Force; Unreasonable Force; and 3-01/050.10, Performance to Standards. Concerning:

MMP § 3-01/025.00, Use of Force and MMP § 3-01/025.10, Unreasonable Force, and MMP § 3-01/050.10, Performance to Standards, the Committee determined that the force used by Deputies Perez, [redacted] and [redacted] was reasonable and necessary and in compliance with Department policy.

Johnny G. Jurado, Commander

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 404-17704-2140-058	Date: 10-18-04	Time: 1940 HRS	
Location: [redacted] W. 126th ST.			
City or Station: LOS ANGELES			
Bureau/Station/Facility: CENTURY		Admin. Investigation: YES ☐ NO ☒	

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	YOCUM	MICHAEL	R.
[redacted]	JURADO	GILBERT	J.
[redacted]	ARRIETA	RUBEN	R.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		52	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		47	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]		[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		15	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]		[redacted]

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	CACHEIRO	PEDRO		SGT	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	WEBER	ROBERT	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	SLAUGHTER	DOUGLAS	

Watch Commander's Signature: ____________________ Emp #: __________

Copy Provided to Employee by: ____________________ Emp #: __________

Supervisor Completing Form: SGT. RICHARD SMITH (Print) Emp #: [redacted]

Unit Commanders Signature: ____________________ Emp #: __________ Date Signed: __________

PSTD Use Only
FO#

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN 404-17704-2140-058

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED **_(Only One Code Per Block)_**

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	UC		
S#1	E#1	RS		
S#1	E#1	PO		
S#1	E#1	PK		
S#1	E#2	UC		
S#1	E#2	RS		
S#1	E#2	PK		
S#1	E#2	PH		
S#1	E#2	PO		
S#1	E#3	UC		
S#1	E#3	RS		
S#1	E#3	PK	NN	LE
S#2	E#1	UC		
E#1	S#1	CT		
E#1	S#1	PO		
E#1	S#1	PH	FR	FA
E#1	S#1	FL		
E#1	S#2	OC	CP	FA
E#2	S#1	CT		
E#2	S#1	OC	CP	FA
E#2	S#1	PH		
E#2	S#1	OC	CP	FA
E#3	S#1	BI	NN	

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 404-17704-2140-058

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	PEREZ	JOHN	K.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	HISP	CENTURY	[redacted]

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5'08"	173LBS

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case #	Directed Force / Significant Force
☒	ST. FRANCIS HOSPITAL		Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	WHT	CENTURY	[redacted]

Shift		Age	Height	Weight
[redacted] EM [redacted] Day [redacted] PM	[redacted] Regular Shift [redacted] OT Shift [redacted] Off Duty	[redacted]	5'08"	170LBS

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☒	ST. FRANCIS HOSPITAL		Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	WHT	CENTURY	[redacted]

Shift		Age	Height	Weight
[redacted] EM [redacted] Day [redacted] PM	[redacted] Regular Shift [redacted] OT Shift [redacted] Off Duty	[redacted]	6'03"	205LBS

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 404-17704-2140-058

Suspect Information

S1

Last Name	HASWELL, JR.	First Name	PAUL	Middle Name	EUGENE
AKA Last Name	RAMZEY	First Name	PAUL	Middle Name	

Sex	Race	Street Address	City	State & Zip Code
☒ Male ☐ Female	BLK	[redacted]	[redacted]	[redacted]

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
	(323)779-5369	20	5'09"	08-30-84	240lbs	☐

Booking #: 8319223 Primary Charge: 243(c)(1) P.C. Secondary Charge: 148(D)(1) P.C. Criminal History [redacted]

Hospital Admission? ☐ Rec'd Treatment At: MARTIN LUTHER KING Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ____

Photos of Suspect's Injuries ☒ YES ☐ NO

Suspect Interview

Date	Time	Audiotape	Videotape
OCTOBER 19, 2004		☐	☒

Suspect Information

S2

Last Name	HASWELL, SR.	First Name	PAUL	Middle Name	EUGENE
AKA Last Name		First Name		Middle Name	

Sex	Race	Street Address	City	State & Zip Code
☒ Male ☐ Female	BLK	[redacted]	[redacted]	[redacted]

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
	(323)779-5369	47	5'07"	11-22-56	175LBS	☐

Booking #: 8318920 Primary Charge: 148(A)(1) P.C. Secondary Charge: Criminal History [redacted]

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ____

Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date	Time	Audiotape	Videotape
OCTOBER 18, 2005		☐	☒

Suspect Information

S_

Last Name		First Name		Middle Name	
AKA Last Name		First Name		Middle Name	

Sex	Race	Street Address	City	State & Zip Code
☐ Male ☐ Female				

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
						☐

Booking #: Primary Charge: Secondary Charge: Criminal History ☐

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ____

Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date	Time	Audiotape	Videotape
		☐	☐

Supervisor's Report on Use of Force

URN: 404-17704-2140-058

Non-Employee Witnesses (Continuation)

Last Name [redacted]		First Name [redacted]		Middle Name [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph.	Home Ph. [redacted]
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.

INVESTIGATIVE SUMMARY
USE OF FORCE
TYPE: HEAD STRIKE WITH AN IMPACT WEAPON (FLASHLIGHT)
I.A.B. FILE NUMBER: FO 2131354
URN: 404-17704-2140-058

On Monday, October 18, 2004, Sergeants Richard Smith and Leonard McCray, along with Lieutenant Curtis Jensen responded to Century Station regarding a use of force by Century Station personnel. During the course of a traffic stop for a possible Driving Under the Influence investigation, Deputies John Perez, [redacted] and [redacted] were involved in a physical altercation with Suspects Paul Haswell Jr. and Paul Haswell Sr. During the altercation Deputy Perez struck Suspect Haswell Jr. with his fist in the face resulting in Suspect Haswell Jr.'s right orbital bone breaking, and Deputy [redacted] struck Suspect Haswell Jr. with his baton on the legs **(refer Exhibit A)**.

INVOLVED PERSONNEL:

Deputy John Perez, #[redacted]	MH/[redacted]	5'08"/173lbs
Deputy [redacted] #[redacted]	MW/[redacted]	5'08"/170lbs
Deputy [redacted] #[redacted]	MW/[redacted]	6'03"/205lbs

EMPLOYEE WORK HISTORY

Deputy Perez is a 15 year veteran of the Department. He has been assigned to Century Station since July 21, 1995. [redacted]

Deputy [redacted] is a 8 year veteran of the Department. He has been assigned to Century Station since [redacted]

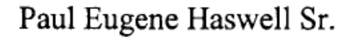
Deputy [redacted] is a 9 year veteran of the Department. He has been assigned to Century Station since [redacted]

SUSPECT

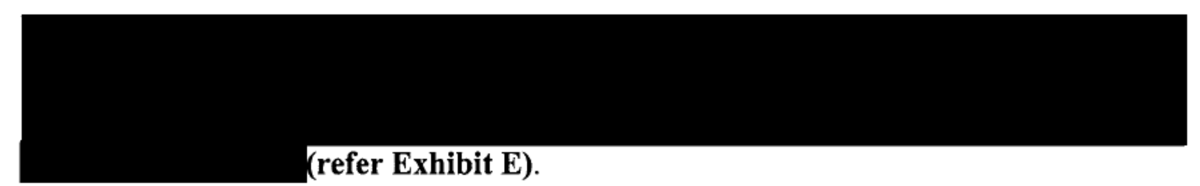
Paul Eugene Haswell Jr.	MB/20	5'09"/240lbs



[redacted] **(refer Exhibit D).**

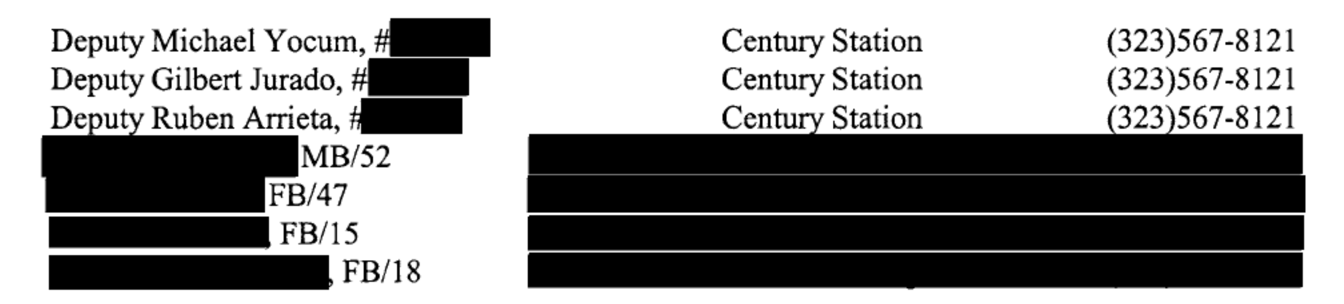


Paul Eugene Haswell Sr.	MB/47	5'07"/175lbs



[redacted] (refer Exhibit E).

WITNESSES



Deputy Michael Yocum, #[redacted]	Century Station	(323)567-8121
Deputy Gilbert Jurado, #[redacted]	Century Station	(323)567-8121
Deputy Ruben Arrieta, #[redacted]	Century Station	(323)567-8121
[redacted] MB/52	[redacted]	
[redacted] FB/47	[redacted]	
[redacted], FB/15	[redacted]	
[redacted], FB/18	[redacted]	

INJURIES

Deputy Perez right wrist swollen and he had a contusion on his right leg.

Deputy [redacted] was treated for a strained neck, twisted right ankle and contusions on his right leg.

Suspect Haswell Jr. was treated for a fractured right orbital bone, a 5/8 inch laceration below his right eye (4 stitches), and a fractured bone in his left hand **(refer Exhibit H)**.

PHYSICAL EVIDENCE

Photographs of Deputies Perez and [redacted] appearance after the incident **(refer Exhibits I & J)**.

Photographs of damaged Los Angeles Sheriff's Department property **(refer Exhibits K & L)** .

Photographs of Suspect Paul Haswell Jr.'s injuries **(refer Exhibit H)**.

Photograph of incident location **(refer Exhibit G)**.

INVESTIGATOR OBSERVATIONS:

Deputies Perez and [redacted] uniforms were covered with mud. Deputy [redacted] holster strap screw was pulled from the holster and his badge was hanging from his shirt.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Perez punched Suspect Haswell Jr. with his fist, sprayed him with O.C. and struck him with a flashlight. He sprayed Suspect Haswell Sr. with O.C. spray.

Deputy [redacted] sprayed Suspect Haswell Jr. with O.C. spray.

Deputy [redacted] struck Suspect Haswell Jr. with a baton.

WEAPONS USED BY SUSPECTS

Suspect Haswell Jr. was resistive, punched the deputies and attempted to take deputies weapons.

Suspect Haswell Sr. interfered with the deputies and displayed an aggressive attitude.

PROPERTY DAMAGE:

Los Angeles Sheriff's Department issue portable radio Co. Ser.#620CDQ0594, saturated with mud rendering the radio inoperable **(refer Exhibit L)**.

Los Angeles Sheriff's Department issue holster for Beretta pistol, restraining strap screw torn from holster rendering restraining strap useless **(refer Exhibit K)**.

Kitchen window, 3'x4', at 140 126th St. Los Angeles, broken.

CRIMINAL INVESTIGATOR AND CHARGES FILED:

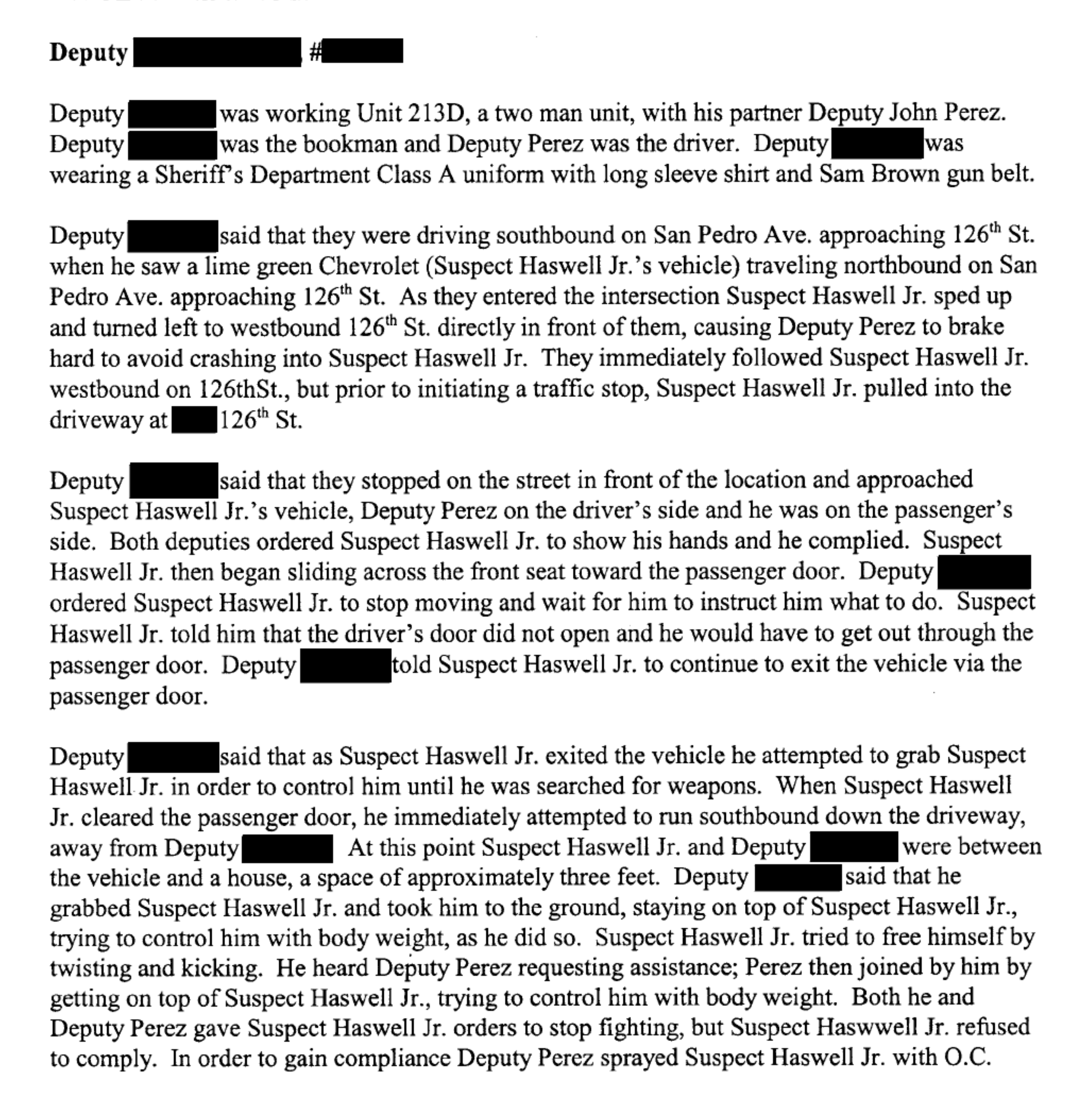
Century Station Detective Bureau, Detective [redacted] #[redacted]

One count of 243(c)(2) P.C., Battery on a Peace Officer, one count of 148(D) P.C., Attempt Taking of an Officer's Firearm and one count of 69 P.C. were filed on Suspect Haswell Jr. **(refer Exhibit F)**.

One count of 69 P.C. Attempt to Deter an Executive Officer from his Lawful Duties by Threat or Violence was filed on Suspect Paul Haswell Sr. **(refer Exhibit F)**.

LIGHTING OR WEATHER CONDITIONS:

The location was without street lights or other ambient lighting. While the weather was clear at the time of the incident, a rain had fallen previously and the ground was muddy.



INVOLVED EMPLOYEES STATEMENTS:

Deputy [redacted] #[redacted]

Deputy [redacted] was working Unit 213D, a two man unit, with his partner Deputy John Perez. Deputy [redacted] was the bookman and Deputy Perez was the driver. Deputy [redacted] was wearing a Sheriff's Department Class A uniform with long sleeve shirt and Sam Brown gun belt.

Deputy [redacted] said that they were driving southbound on San Pedro Ave. approaching 126th St. when he saw a lime green Chevrolet (Suspect Haswell Jr.'s vehicle) traveling northbound on San Pedro Ave. approaching 126th St. As they entered the intersection Suspect Haswell Jr. sped up and turned left to westbound 126th St. directly in front of them, causing Deputy Perez to brake hard to avoid crashing into Suspect Haswell Jr. They immediately followed Suspect Haswell Jr. westbound on 126thSt., but prior to initiating a traffic stop, Suspect Haswell Jr. pulled into the driveway at [redacted] 126th St.

Deputy [redacted] said that they stopped on the street in front of the location and approached Suspect Haswell Jr.'s vehicle, Deputy Perez on the driver's side and he was on the passenger's side. Both deputies ordered Suspect Haswell Jr. to show his hands and he complied. Suspect Haswell Jr. then began sliding across the front seat toward the passenger door. Deputy [redacted] ordered Suspect Haswell Jr. to stop moving and wait for him to instruct him what to do. Suspect Haswell Jr. told him that the driver's door did not open and he would have to get out through the passenger door. Deputy [redacted] told Suspect Haswell Jr. to continue to exit the vehicle via the passenger door.

Deputy [redacted] said that as Suspect Haswell Jr. exited the vehicle he attempted to grab Suspect Haswell Jr. in order to control him until he was searched for weapons. When Suspect Haswell Jr. cleared the passenger door, he immediately attempted to run southbound down the driveway, away from Deputy [redacted] At this point Suspect Haswell Jr. and Deputy [redacted] were between the vehicle and a house, a space of approximately three feet. Deputy [redacted] said that he grabbed Suspect Haswell Jr. and took him to the ground, staying on top of Suspect Haswell Jr., trying to control him with body weight, as he did so. Suspect Haswell Jr. tried to free himself by twisting and kicking. He heard Deputy Perez requesting assistance; Perez then joined by him by getting on top of Suspect Haswell Jr., trying to control him with body weight. Both he and Deputy Perez gave Suspect Haswell Jr. orders to stop fighting, but Suspect Haswwell Jr. refused to comply. In order to gain compliance Deputy Perez sprayed Suspect Haswell Jr. with O.C.

spray; however, the spray had no effect.

Deputy [redacted] said that as he was trying to control Suspect Haswell Jr.'s left arm and Deputy Perez was trying to control Suspect Haswell Jr.'s right arm, he saw Deputy Perez draw his gun and heard Deputy Perez tell Suspect Haswell Jr. to stop fighting or he would be forced to shoot him. At this point Deputy [redacted] saw two female blacks appear in the doorway of a house to the east of the location. The females began yelling at them to leave Suspect Haswell Jr. alone. He heard Deputy Perez order the females to stay away, which apparently distracted Deputy Perez. He then saw Suspect Haswell Jr. grab Deputy Perez' gun and heard Deputy Perez say, "He's grabbing my gun." In order to allow Deputy Perez to focus his attention on retaining his weapon, Deputy [redacted] said he turned his attention to the females, at which time he saw a male black (Suspect Haswell Sr.) standing in the driveway.

Deputy [redacted] said that Suspect Haswell Sr. was yelling at them to get off his [redacted] as he advanced toward and retreated from the location of the fight. He said that at this point he was tiring and it appeared Deputy Perez was also becoming fatigued; however, Suspect Haswell Jr. seemed to be maintaining his strength. Based on their waning strength, Suspect Haswell Jr. being covered in mud, making him too slippery to hold and the uncertainty of Suspect Haswell Jr. being armed, Deputy [redacted] attempted to get a handcuff on Suspect Haswell Jr.'s left wrist. As he was attempting to handcuff Suspect Haswell Jr., he saw Deputy Perez strike Suspect Haswell Jr. in the face numerous times with his fist and elbow. He was able to place a handcuff on Suspect Haswell Jr.'s left wrist and attached the other handcuff to a gas meter next to the area the fight was occurring.

Deputy [redacted] said that he stayed on top of Suspect Haswell Jr. as he continued to request assistance. As he was requesting assistance, he felt someone tugging on the right side of his gunbelt. He looked down and saw Suspect Haswell Jr. grabbing his gun. He twisted away from Suspect Haswell Jr.'s grasp and sprayed him with O.C. spray. This did not appear to have any effect on Suspect Haswell Jr. as he continued to struggle. As this was occurring, Deputy Perez was trying to control a group of people who were standing approximately two to three feet from them, yelling profanities. He saw Suspect Haswell Sr. step toward Deputy Perez, who sprayed Suspect Haswell Sr. with O.C. spray, causing Suspect Haswell Sr. to retreat back into the house. Deputy Perez began trying to control Suspect Haswell Jr.'s right hand, at which time Deputy [redacted] saw Suspect Haswell Sr. exit the house. Fearing that Suspect Haswell Sr. may have armed himself or was about to try to free Suspect Haswell Jr., he sprayed Suspect Haswell Sr. with O.C. spray to keep him away from the altercation. He said he repeated this action three times. He and Deputy Perez stayed on top of Suspect Haswell Jr. and continued to order him to stop fighting. As assisting units arrived he directed them into the house to gain control of Suspect Haswell Sr. and the other occupants of the house. With assistance at the location, he removed the handcuff from the gas meter in order to complete the handcuffing process. Suspect Haswell Jr. continued to struggle, swinging his arms and kicking his feet. Suspect Haswell Jr. was turned onto his stomach in order to handcuff him, at which time it was determined that

Suspect Haswell Jr. was too large for one set of handcuffs. As this was occurring he saw Deputy [redacted] attempting to control Suspect Haswell Jr.'s legs. He then saw Deputy [redacted] strike Suspect Haswell Jr. in the legs. A second set of handcuffs was provided and Suspect Haswell Jr. was handcuffed with the assistance of Deputy Jurado. He said that he was not armed with a taser and he did not see or hear a taser utilized during the incident.

Deputy John Perez, #[redacted]

Deputy Perez was working Unit [redacted] a two man unit, with his partner Deputy [redacted] Deputy [redacted] was the bookman and Deputy Perez was the driver. Deputy Perez was wearing a Sheriff's Department Class A uniform with long sleeve shirt, green rain jacket and Sam Brown gun belt.

Deputy Perez said that they were driving southbound on San Pedro Ave. approaching 126th St. when he saw a lime green Chevrolet (Suspect Haswell Jr.'s vehicle) traveling northbound on San Pedro Ave. approaching 126th St. As he entered the intersection Suspect Haswell Jr. sped up and turned left to westbound 126th St. directly in front of them, causing him to brake hard to avoid crashing into Suspect Haswell Jr. He immediately followed Suspect Haswell Jr. westbound on 126th St., but prior to initiating a traffic stop, he saw Suspect Haswell Jr. pull into the driveway at [redacted] E.126th St., parking the vehicle approximately three feet from a house to the west.

Deputy Perez said that as he approached Suspect Haswell Jr.'s vehicle, he heard Suspect Haswell Jr. say that he could not exit the driver's door of the vehicle. At the same time a female black in the doorway of the residence at [redacted] E. 126th St., who identified herself as Suspect Haswell Jr.'s sister, told him that the driver's door did not open. He turned his attention back to Suspect Haswell Jr. and saw him sliding across the seat of the vehicle toward the passenger side door. He heard Deputy [redacted] telling Suspect Haswell Jr. to calm down and wait for him to give him direction to exit the vehicle. Suspect Haswell Jr. exited the vehicle and immediately attempted to run past Deputy [redacted] He saw Deputy [redacted] grab Suspect Hasell Jr. and they both fell to the ground between the vehicle and the house to the west, an area approximately three feet wide. He saw Deputy [redacted] and Suspect Haswell Jr. begin to struggle, he immediately broadcast a request for assistance regrading deputies involved in a fight, and joined the altercation. He grabbed Suspect Haswell Jr.'s right arm to handcuff him, but Suspect Haswell Jr. pulled away from his grasp and reached for his waist band. He believed Suspect Haswel was attempting to arm himself with a concealed gun and grabbed Suspect Haswell Jr.'s right arm in order to control and handcuff Suspect Haswell Jr.

Deputy Perez said that at this point he realized that he had not heard any radio traffic on his portable radio nor did he receive an acknowledgment from SCC regarding his request for assistance. He again requested assistance on his portable radio and again received no acknowledgment from SCC. He now realized that he was on a tactical channel, advised Deputy [redacted] that he was on the wrong channel and told him to request assistance. He heard Deputy [redacted] request assistance and at the same time felt Suspect Haswell Jr. grabbing his (Perez)

gun, which was holstered. He advised Deputy [redacted] of Suspect Haswell Jr.'s actions at which time Deputy [redacted] told him that Suspect Haswell Jr. was grabbing his weapon also.

Deputy Perez said that as this was occurring, a male black, (Suspect Haswell Sr.) came up the driveway yelling at him to stay away from his [redacted] which diverted his attention from Suspect Haswell Jr. As this occurred, Suspect Haswell Jr. grabbed his (Perez) gun, which he had previously drawn as he feared for his and Deputy [redacted] safety. He pulled his weapon from Suspect Haswell Jr.'s grasp and yelled at him to stop grabbing his gun or he would shoot him. Suspect Haswell Jr. again grabbed his weapon at which time, with his left hand, he O.C. sprayed Suspect Haswell Jr. This had no effect and Suspect Haswell Jr. continued to grab for his gun. He heard Suspect Haswell Sr. yell at him to leave Suspect Haswell Jr. alone. He warned Suspect Haswell Sr. to get back or be arrested. Suspect Haswell Sr. approached him as if he was going to assist Suspect Haswell Jr., at which time he pointed his gun at Suspect Haswell Sr. and told to get back. Suspect Haswell Sr. refused to comply causing Deputy Perez to O.C. spray him in the face. Suspect Haswell Sr. then ran into the residence.

Deputy Perez said that when Suspect Haswell Sr. ran into the house, he turned his attention back to Suspect Haswell Jr., who was still struggling with Deputy [redacted] He grabbed Suspect Haswell Jr.'s right arm at which time Suspect Haswell Jr. tried to reach his gun which he had previously holstered. He said he was getting tired and due to Suspect Haswell Jr.'s repeated attempts to grab his weapon, he feared for his safety and the safety of Deputy [redacted] He then punched Suspect Haswell Jr. in the face approximately six times as Suspect Haswell Jr. punched him the upper body with his fist. He then struck Suspect Haswell Jr. in the face two times with his elbow. Suspect Haswell Jr. reached for his waistband and, believing he was attempting to arm himself, Deputy Perez struck Suspect Haswell Jr. in the right arm with his flashlight. Suspect Haswell Jr. then kicked at him and he struck Suspect Haswell Jr. two times in the leg with his flashlight.

Deputy Perez said that due to an earlier rain the area was covered in mud as were Suspect Haswell Jr., Deputy [redacted] and himself. This made it very difficult to gain a foothold or hold onto Suspect Haswell Jr. He saw Deputy [redacted] handcuff Suspect Haswell Jr. to a gas meter and was able to get another handcuff onto Suspect Haswell Jr.'s right wrist while he held onto the other end. Suspect Haswell Jr. continued to struggle as assisting personnel arrived. He instructed Deputy Arrieta to go into the house and detain Suspect Haswell Sr. When Deputy [redacted] arrived, Deputy [redacted] told him to step aside and he would continue the struggle. He saw Suspect Haswell Jr. kick Deputy [redacted] in the leg and Deputy [redacted] strike Suspect Haswell Jr. two times in the right leg with his baton. Suspect Haswell Jr. was handcuffed with assistance from additional unknown personnel. He said that he was not armed with a taser and he did not see or hear a taser being utilized during the incident.

Deputy [redacted]#[redacted]

Deputy [redacted] said that he was working Unit [redacted] a two man unit, with his partner Deputy Michael Yocum. He was wearing a Sheriff's Department Class A uniform with Sam Brown gun belt.

Deputy [redacted] said that he and Deputy Yocum responded to the location regarding a request for

assistance, deputies involved in a fight, by Unit [redacted] Deputies Perez and [redacted] The initial location was given as the 400 block of 126th St., and was later updated to [redacted] 126th St. When they arrived he saw several radio cars from different police agencies parked on the street in front of the location. As he exited his radio car he heard people screaming and deputies ordering someone to stop fighting.

Deputy [redacted] ran down the poorly lit driveway looking for the source of the deputies' orders. As he reached the front of a vehicle parked in the driveway, he saw Suspect Haswell Jr. on the ground with two deputies (Perez and [redacted]) lying on top of him. Everyone involved on the ground was covered with mud and the deputies appeared fatigued. As he prepared to assist Deputies Perez and [redacted] he was "startled" by an unknown female standing in the doorway of the house at [redacted] 126th St., yelling obscenities at the deputies. At this time an older female joined the first female, also yelling at the deputies and advancing on him. He believed they had been or wanted to become involved in the fight. He closed the door, ordered the females to remain in the house and leaned against the door to prevent them from exiting. A short time later he saw Deputy Jurado emerge from the rear area of the house and realized another deputy was inside the house who could control the females.

Deputy [redacted] said that he turned his attention to the fight and saw that the fight was now taking place in front of the vehicle. He saw Deputy [redacted] lying on Suspect Haswell Jr.'s upper back and unknown peace officer was attempting to control Suspect Haswell Jr.'s right hand which had a handcuff attached. He saw that Suspect Haswell Jr. was swinging the handcuff violently as Deputy Perez stood near Supect Haswell Jr.'s legs. Deputy Perez looked fatigued and dirty and it was apparent that he had been engaged in a "tremendous fight." As he looked at Suspect Haswell Jr., he saw him kicking at Deputy Perez' legs as Deputy Perez appeared as if he was going to try to control them. He told Deputy Perez to stand back and he attempted to grab Suspect Haswell Jr.'s legs.

Deputy [redacted] said that as soon as he placed his hands on Suspect Haswell Jr.'s legs, Suspect Haswell Jr. kicked at his legs which he avoided. On his second attempt, Suspect Haswell Jr. successfully kicked him on his right leg, dragging the foot down his right shin. Fearing that he would be kicked again if he attempted to grab Suspect Haswell Jr.'s legs, he struck Suspect Haswell Jr. two times on his left calf with his baton. Suspect Haswell Jr. stopped kicking and he

was able to gain control of the legs. Suspect Haswell Jr. was then handcuffed without further incident by Deputy [redacted] and the unknown peace officer. He was detailed to accompany Suspect Haswell Jr., in the ambulance, to the hospital. During the ride, Suspect Haswell remained "belligerent" toward the attendants, spitting and demanding water. He attempted to calm Suspect Haswell Jr. by asking him where he hurt. After Suspect Haswell Jr. told him where he hurt, Suspect Haswell Jr. told him that he had to resist because he could not breathe.

Deputy [redacted] said that he [redacted] was unable to identify the unknown peace officer due to him squatting down and being covered in mud, describing him only as wearing a tan shirt. He said that he did not see anyone punch, kick or strike Suspect Haswell Jr. with an impact weapon at any time during the incident. He did not see or hear a taser utilized during the incident.

WITNESSES STATEMENTS:

Deputy Michael Yocum, #[redacted]

Deputy Yocum said that he responded to the location with his partner Deputy [redacted] regarding a request for assistance, deputies involved in a fight. When he arrived he proceeded south on the driveway at which time he saw Deputies Perez and [redacted] on the ground, in front of a vehicle, struggling with a male black. He also saw a male black, 40's, inside the residence to the east, through a window. The male inside the residence was holding a young female and an older female black was also with him. The older female was yelling that her [redacted] was on the ground and the deputies should leave him alone. Shortly after he arrived he saw deputies handcuffing Suspect Haswell Jr. At no time did he see anyone strike Suspect Haswell Jr. with an impact weapon, punch him or kick him. He did not see or hear a taser being used.

Deputy Gilbert Jurado, #[redacted]

Deputy Jurado said that he and his partner, Ruben Arrieta, responded to the location regarding a request for assistance, deputies involved in a fight. Upon his arrival he saw Deputeis Perez and [redacted] on the ground in front of a vehicle parked in the driveway at the location. Both deputies were struggling with Suspect Haswell Jr. and attempting to handcuff him. Deputies Perez and [redacted] told him and Deputy Arrieta to locate and detain a suspect (Suspect Haswell Sr.) who was inside the residence. They entered the residence and located Suspect Haswell Sr. in the kitchen. Suspect Haswell Sr. was arrested and handcuffed without incident. When he exited the residence he saw Deputy [redacted] still on the ground attempting to handcuff Suspect Haswell Jr. He saw that each of Suspect Haswell Jr.'s wrist had a handcuff attached with the corresponding handcuff unattached. He immediately grabbed the unattached handcuffs and locked them together. He did not see Suspect Haswell Jr. punched, kicked or struck with an impact weapon. He did not see or hear a taser being utilized on Suspect Haswell Jr.

Deputy Ruben Arrieta, #[redacted]

Deputy Arrieta said that he and his partner, Gilbert Jurado, responded to the location regarding a request for assistance, deputies involved in a fight. When they arrived he ran up the driveway to the front of a vehicle parked in the driveway. In front of the vehicle he saw Deputies Perez and [redacted] on the ground struggling with Suspect Haswell Jr. He also saw two females standing approximately two feet from the struggle. The females were screaming, but he was unable to understand what was being said. Deputy Perez directed him inside the residence to detain a male black. He ran inside the residence and contacted Suspect Haswell Sr. in the kitchen. He and

Deputy Jurado handcuffed Suspect Haswell Sr. and he escorted Suspect Haswell Sr. to his radio car which was parked on the street in front of the location. He did not see any one punch, kick or use an impact weapon at any time. He did not see or hear a taser being utilized.

[redacted]

Witness [redacted] said that she had just arrived at the location when the incident began. She parked her car in the street and walked up the driveway. As she neared the front of the suspect's vehicle she saw two deputies on the ground, fighting with Suspect Haswell Jr. While standing at the kitchen door, approximately two to three feet from the struggle, she saw both deputies punching Suspect Haswell Jr. in the stomach and repeatedly striking him in the head with "clubs," possibly flashlights, and their fists. During the time this was occurring Suspect Haswell Jr. was "squirming" and yelling. She also saw one of the deputies spray Suspect Haswell Jr. with O. C. spray. She said she did not hear the deputies ordering Suspect Haswell Jr. to stop fighting, she only heard the deputies telling her to "get back."

Witness [redacted] said that during the incident she did not see Suspect Haswell Jr. try to hit the deputies, grab at their gunbelts or grab at the deputies gun. After Suspect Haswell Jr. was handcuffed and stood up, she saw that his eye was swollen and bleeding.

[redacted]

Witness [redacted] was interviewed by Sergeant Cacheiro, #[redacted] on the night of the incident. The following is a summary of that interview.

Witness [redacted] said that he was standing on the driveway of the location, behind the back door of the residence. He saw Suspect Haswell Jr. drive into the driveway and two Highway Patrol officers approached him. The deputies told Suspect Haswell Jr. to get out of the vehicle and Suspect Haswell Jr. told them that he had to get out through the passenger door. When Suspect Haswell Jr. exited the vehicle, he put his hands up, at which time one of the officers grabbed him, "flipped him on the ground" and one of the officers began "shooting him with the taser gun," five

or six times. He saw the officers striking Suspect Haswell Jr. in the face, but he was unable to tell what they were striking Suspect Haswell Jr. with (fists or impact weapons). At one point he saw an officer spray Suspect Haswell Sr. The officers then pushed him inside the residence.

Witness [redacted] said that up to the point he was pushed into the residence he had an unobstructed view of the incident. He did not see Suspect Haswell Jr. fight with or strike either deputy. He did not see Suspect Haswell Jr. grab either deputies' gun or gunbelt. He did not hear the deputies tell Suspect Haswell Jr. to stop fighting. He said that he was not injured and he did not want medical attention.

[redacted]

Witness [redacted] was interviewed by Sergeant Cacherio, # [redacted] on the night of the incident. The following is a summary of that interview.

Witness [redacted] said that she had been advised that Suspect Haswell Jr. had been stopped by the California Highway Patrol on Cook St. She went to that location where the Highway Patrol officers had shown her five baggies of marijuana that Suspect Haswell Jr. had in his possession. Suspect Haswell Jr. was cited by the Highway Patrol officers after which she, driving her own vehicle, and Suspect Haswell Jr. drove to the location of the incident. She said she drove her vehicle into the driveway at the location and stopped directly behind Suspect Haswell Jr.'s vehicle (green Chevrolet Monte Carlo).

Witness [redacted] said that after parking her vehicle, she saw deputies "rush up in here" real fast. She saw Suspect Haswell Jr. exit his vehicle through the passenger door, explaining that the driver's door was broken. After Suspect Haswell Jr. was out of his vehicle, a deputy grabbed him, and "threw" Suspect Haswell Jr. against a wall. The deputy fell against Suspect Haswell Jr. and "they just started beating him." She said she saw the deputies "choking him out," and "beating him with a club." She said the shorter deputy was "beating" Suspect Haswell Jr. in the head. As this was occurring, Suspect Haswell Jr. was saying "I can't breathe, I can't breathe."

Witness [redacted] said that her [redacted] Suspect Haswell Sr., (unknown where he was during the start of the incident), arrived and, with his hands up, began saying, "What are you doing? Why are you beating him?" She heard one of the deputies say, "Fuck you motherfucker. I'll blow your brains out." She said she did not see Suspect Haswell Jr. fighting with or resisting the deputies. She did not see Suspect Haswell Jr. grab a deputy's gun or gunbelt.

[redacted]

Witness [redacted] was interviewed by Sergeant Cacheiro, # [redacted] on the night of the incident. The following is a summary of that interview.

Witness [redacted] said that she was inside the residence at the location when she heard someone telling Suspect Haswell Jr. to get out of the vehicle. Due to the driver's door of the vehicle not operating, he told the deputies that he had to get out through the passenger side door. She saw Suspect Haswell Jr. exit the vehicle through the passenger side door at which time she saw Suspect Haswell Jr. get out with his hands up. She said that when Suspect Haswell Jr. was outside the vehicle, "they flipped him over and they started beating him." She heard Suspect Haswell Jr. say that he had not done anything and that he did not have anything on him.

Witness [redacted] said that the driver of the radio car started "beating" on Suspect Haswell Jr. while the other deputy stood by. One of the deputies dropped his flashlight and the other deputy picked it up and began striking Suspect Haswell Jr. on the ankle with it. She heard Suspect Haswell Jr. say that he could not breath as one of the deputies "choked him real hard." At this point one of the deputies sprayed her in the eyes.

> **I.A.B. Note:** Witness [redacted] was not O.C. sprayed, she was near Suspect Haswell Sr. when he was sprayed which resulted in her feeling the effect's of the spray.

SUSPECTS STATEMENTS:

Paul Haswell Jr.

Suspect Haswell Jr. said that prior to being stopped by Deputies Perez and [redacted] he had been stopped by California Highway Patrol officers. These officers had cited him for no rear license plate and confiscated two baggies of marijuana. After he had been cited, he drove to the location. In the driveway of the location he was approached by Deputies Perez and [redacted] When the deputy on the driver's side approached him, the deputy told him to exit the vehicle. He explained that the driver's door was broken and on his own moved toward the passenger's side door.

Suspect Haswell Jr. said that he heard the deputy on the passenger side tell him to stop; however, he continued to exit the passenger door. He said that as he exited the door, he slipped in the mud. He felt that at this point the deputy on the passenger side may have thought that he was going to hit him, and the deputy grabbed him and they fell to the ground. On the ground both deputies began hitting him for no reason. He said that he resisted in order to prevent being hit by the deputies.

Paul Haswell Sr.

Suspect Haswell Sr. was interviewed by Sergeant Cacheiro, #[redacted] on the night of the incident. The following is a summary of that interview.

Suspect Haswell Sr. said that he was standing near the kitchen door, holding his family away from the struggle, approximately four feet away. As the struggle continued he heard the deputies order Suspect Haswell Jr., one time, to "Stop. Do not resist." He told Suspect Haswell Jr. to stop

fighting and Suspect Haswell Jr. told him that he was not resisting. He said that both deputies were on top of Suspect Haswell Jr., he was not fighting. He saw one of the deputies place a "choke hold" on Suspect Haswell Jr. and Suspect Haswell Jr. told him that he could not breath. At this time he saw Suspect Haswell Jr. punch one of the deputies one time. He said that at this point the "short officer" had a 9MM stuck in his Suspect Haswell Jr.'s kidney. That deputy said, "I will shoot you." He asked the deputy why, telling him that Suspect Haswell Jr. was not resisting. The deputy repeated that he would shoot Suspect Haswell Jr. He saw the deputies strike Suspect Haswell Jr. in the face with their face, and he "imagined with their flashlights," because he saw a black object (unknown what the object was) in their hands and he heard bones "cracking."

Suspect Haswell Sr. said that he remained on the porch outside the kitchen during the incident and while standing there, holding his family back from becoming involved in the struggle, he was sprayed with O. C. spray one time. Later in the interview he said that Suspect Haswell Jr. did not strike the deputies.

Suspect Haswwell Sr. said that he was not injured during the incident and did not complain of pain. He said that he was not close to the struggle and he was trying to keep his family away from the struggle.